

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CMG WORLDWIDE, INC. and MARILYN)
MONROE, LLC.,)
Plaintiffs,)
vs.) 1:05-cv-0415-RLY-TAB
THE MILTON H. GREENE ARCHIVES,)
LLC,)
Defendant.)

ORDER ON PLAINTIFFS' MOTION TO CONSOLIDATE

Pursuant to Local Rule 42.2 and Federal Rule of Civil Procedure 42(a), Plaintiffs CMG Worldwide, Inc. and Marilyn Monroe, LLC have submitted a motion to consolidate cause numbers 1:05-cv-448-LJM-WTL and 1:05-cv-0423-DFH-WTL with this case, 1:05-cv-0415-RLY-TAB. Upon review of the parties' briefs and the relevant authority, the court finds that consolidation of this matter for trial purposes is unwarranted. The suits involve distinct questions of fact and of law, and consolidation could prejudice the Defendants or confuse the jury. However, the court will consolidate the matters for purposes of discovery only.

The cases in question will proceed under separate cause numbers, but all discovery and pretrial matters will be **referred** to Magistrate Judge Baker. The clerk of the court is **ordered** to rename cause number 1:05-cv-448-LJM-WTL as cause number 1:05-cv-448-LJM-TAB and to rename cause number 1:05-cv-423-DFH-WTL as 1:05-cv-423-DFH-

TAB. Accordingly, Plaintiffs' Motion to Consolidate is **granted in part and denied in part.**

Dated: August 8, 2005.



RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

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